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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,933	03/26/2004	Kazuyoshi Umeda	59558.00024	6429

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SQUIRE, SANDERS & DEMPSEY L.L.P.
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TYSONS CORNER, VA 22182

EXAMINER

JIMENEZ, MARC QUEMUEL

ART UNIT	PAPER NUMBER
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3726

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/809,933

Applicant(s)

UMEDA, KAZUYOSHI

Examiner

Marc Jimenez

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 8-16 and 18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites “the other end” in the last line which lacks proper antecedent basis.

Claim 8 recites “the casing” in the last line. It is unclear whether the “motor casing” or “reducer casing” is being referred to.

Claim 18 recites “the ventilation passage”. It is unclear which ventilation passage is being referred to because both the rotor and mounting flanges have ventilation passages.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. **Claims 17 and 18** are rejected under 35 U.S.C. 102(b) as being anticipated by Christian (US2540099).

Christian teaches a roller body **3** of a motorized roller, a motor **1** disposed inside the roller body **3**, the motor **1** being housed in a motor casing **52**, a reducer **2** which is disposed inside the roller body **3** and reduces the rotation of the motor **1**, the reducer **2** being housed in a reducer casing, and a rotor **15** which is disposed inside the roller body **3**, and connected with the reducer **2** and the roller body **3** to transmit power of the reducer **2** to the roller body **3**, wherein a reaction force to the driving force of the roller body is able to be received, via the motor casing and the reducer casing, by an external member **28** which fixes the motor casing and the reducer casing so that rotations of the casings are prevented, and a ventilation passage **25** is formed in the rotor in an axial direction, wherein mounting flanges **22,23** that have a substantially circular plate shape and are capable of relative rotation with respect to the roller body **3** are provided at both ends of the roller body **3**, and ventilation passages **25** are formed in the mounting flanges **22,23** in the axial direction. The ventilation passage is obliquely formed relative to the axial direction of the rotor **15**.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. **Claims 8-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Christian in view of Mackmann (US2436930).

Christian teaches the invention cited above with the exception of having an air passage for guiding air in an axial direction from one end of the reducer to the other end is formed in an outer peripheral surface of the casing for the reducer.

Mackmann teaches an air passage **48** for guiding air in an axial direction from one end of the reducer **38** to the other end and is formed in an outer peripheral surface of the casing **38** for the reducer.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided the invention of Christian with an air passage for guiding air in an axial direction from one end of the reducer to the other end is formed in an outer peripheral surface of the casing for the reducer, in light of the teachings of Mackmann, in order to cool the reducer during operating conditions.

Regarding claim 9, it is noted that Mackmann also teaches a motor casing having air passage **47**. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided the invention of Christian with an air passage, in light of the teachings of Mackmann, in order to effectively cool the motor during operating conditions.

Christian teaches an air passage **25 or 58** formed in an inner peripheral surface of the roller body.

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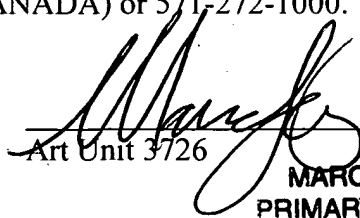
Response to Arguments

7. Applicant's arguments with respect to claims 8-18 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Jimenez whose telephone number is (571) 272-4530. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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MARC JIMENEZ
PRIMARY EXAMINER

MJ
2-10-07